



Department of Records and Election Services
(City Clerk)
1685 Main Street, Room 102
PO Box 2200
Santa Monica, California 90407-2200

June 30, 2008

Los Angeles County Board of Supervisors
Attn: Sachi A. Hamai, Executive Officer
Room 383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Honorable Members:

The City Council of the City of Santa Monica respectfully requests that the Board of Supervisors approve the City's request to consolidate Santa Monica's municipal election with the County's Statewide General Election to be held on November 4, 2008. In addition the City requests the placement of a measure on the ballot, and requests approval of provision of services to the City of Santa Monica by the Los Angeles County Registrar Recorder. Attached please find copies of the following related certified resolutions as adopted by the Santa Monica City Council:

Resolution No. 10299 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008."

Resolution No. 10300 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF THE CITY OF SANTA MONICA TO BE HELD ON NOVEMBER 4, 2008, WITH THE STATEWIDE GENERAL ELECTION CONSOLIDATION WITH THE STATEWIDE GENERAL ELECTION PURSUANT TO ELECTIONS CODE SECTION 10403."

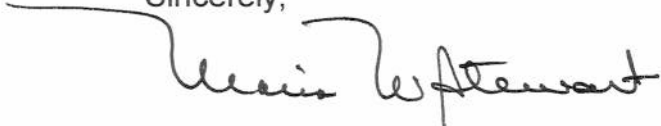
Resolution No. 10301 (CCS) entitled: "A RESOLUTION OF THE CITY OF SANTA MONICA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY OF SANTA MONICA RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008."

Board of Supervisors
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Resolution No. 10317 (CCS) entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA SUBMITTING TO THE VOTERS AN INITIATIVE MEASURE PROPOSING TO AMEND THE LAND USE ELEMENT OF THE GENERAL PLAN OF THE CITY OF SANTA MONICA AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, AND AUTHORIZING CITY COUNCIL MEMBERS TO FILE WRITTEN ARGUMENTS FOR OR AGAINST THE PROPOSITION AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE."

It is respectfully requested that these resolutions be considered at the next meeting of the Board of Supervisors of Los Angeles County, pursuant to California Election Code Sections 10400, 10401, and 10403.

Sincerely,

A handwritten signature in black ink, appearing to read "Maria M. Stewart", with a long horizontal line extending to the left.

Maria M. Stewart,
City Clerk, CMC

MMS/ms

Enclosures

cc: Los Angeles County Registrar-Recorder, Elections Division

RESOLUTION NUMBER 10298 (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA MONICA CALLING AND GIVING NOTICE
OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION
TO BE HELD ON TUESDAY, NOVEMBER 4, 2008

WHEREAS, City Charter Section 1400 provides that a General Municipal Election shall be held on the first Tuesday following the first Monday of November of each even numbered year for the purpose of election of elected officers; and

WHEREAS, under the provisions of the City Charter, four members of the City Council shall be elected to a full term of four years; and

WHEREAS, under the provisions of the City Charter, two commissioners of the Rent Control Board shall be elected for a full term of four years; and

WHEREAS, under the provisions of the Education Code, three members of the Santa Monica-Malibu Unified School District Board of Education shall be elected for a full term of four years, and one member shall be elected for a partial term of two years; and

WHEREAS, under the provisions of Education Code Section 72034 and resolutions adopted by the Board of Trustees of the Santa Monica Community College District, three members of the Santa Monica Community College District Board of Trustees shall be elected for a full term of four years; and

WHEREAS, Elections Code Section 12109 authorizes the City Council to provide that all ballots cast at the General Municipal Election be counted at a central counting place; and

WHEREAS, the Education Code and the Elections Code authorize the consolidation of the election of members of the Santa Monica College District Board of Trustees with the General Municipal Election and the Santa Monica-Malibu Unified School District Board of Education.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. A General Municipal Election shall be held in the City of Santa Monica on November 4, 2008, which is the election required for the purposes of electing four members of the City of Santa Monica City Council, two commissioners of the City of Santa Monica Rent Control Board, four members of the Santa Monica-Malibu Unified School District Board of Education and three members of the Santa Monica Community College District Board of Trustees, and the placing before the voters of qualified initiatives and referendum.

SECTION 2. The ballots to be used at the General Municipal Election shall be both as to form and matter contained therein such as may be required by law.

SECTION 3. The City Clerk is authorized, instructed, and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, and paraphernalia that may be necessary in order to properly and lawfully conduct the General Municipal Election.

SECTION 4. The polls for the General Municipal Election shall be open at 7:00 a.m. on the day of the election and shall remain open continuously until 8:00 p.m. of the same day when the polls shall be closed except as provided in Elections Code Section 14401.

SECTION 5. The notice of the time and place of holding of the General Municipal election is hereby given and the City Clerk is authorized, instructed, and directed to give such further or additional notice of the election in the time, form, and manner required by law.

SECTION 6. Pursuant to Elections Code Section 12109, the City Clerk is authorized, instructed, and directed to give notice of the central counting place in the time, form, and manner required by law.


SECTION 7. An election for members of the Santa Monica-Malibu Unified School District Board of Education and the Santa Monica College District Board of Trustees shall be consolidated with the General Municipal Election. Separate ballots shall be provided for those voters who reside outside the City of Santa Monica pursuant to Elections Code Section 10409.

SECTION 8. The City Clerk is directed to send a copy of this Resolution to the Board of Supervisors and to the Registrar of Voters/County Clerk of the County of Los Angeles.

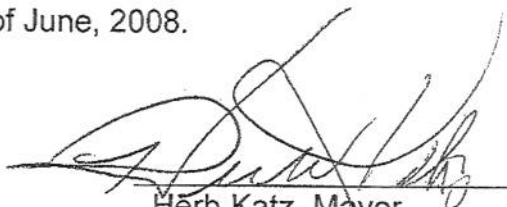
SECTION 9. In the event the General Municipal Election is consolidated with the Statewide General Election on the same date, the provisions of this Resolution, which are applicable only in the event the election is conducted by the City, shall be of no force or effect.

SECTION 10. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:


MARSHA JONES MOUTRIE
City Attorney

Adopted and approved this 10th day of June, 2008.


Herb Katz, Mayor

I, Maria Stewart, City Clerk of the City of Santa Monica, do hereby certify that the foregoing Resolution No. 10299 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 10th day of June, 2008, by the following vote:

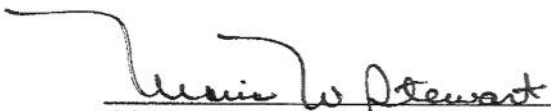
Ayes: Council members: Genser, Holbrook, McKeown, O'Connor, Shriver
Mayor Katz

Noes: Council members: None

Abstain: Council members: None

Absent: Council members: Mayor Pro Tem Bloom

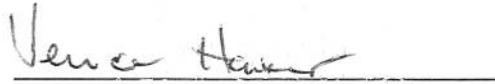
ATTEST:


Maria Stewart, City Clerk

State of California
County of Los Angeles
City of Santa Monica

I, Vernice Hankins, Staff Assistant to the City Clerk of the City of Santa Monica, do hereby certify that to the best of my knowledge and belief the foregoing is a full, true and correct copy of Resolution No. 10299 (CCS) which is on file in the City Clerk's Department, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Santa Monica, this 30th day of June, 2008.

A handwritten signature in cursive script, appearing to read "Vernice Hankins", is written over a horizontal line.

Vernice Hankins
Staff Assistant III, City Clerk's Office
City of Santa Monica

RESOLUTION NUMBER 10300 (ccs)
(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA MONICA REQUESTING THE BOARD OF
SUPERVISORS OF THE COUNTY OF LOS ANGELES TO
CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF THE CITY
OF SANTA MONICA TO BE HELD ON NOVEMBER 4, 2008, WITH THE
STATEWIDE GENERAL ELECTION TO BE HELD ON SAID
DATE PURSUANT TO ELECTIONS CODE SECTION 10403

WHEREAS, the City Council of the City of Santa Monica has called a General Municipal Election in the City of Santa Monica to be held on November 4, 2008, for the purpose of electing officers of the City of Santa Monica, the Santa Monica Rent Control Board, and the Santa Monica Community College District Board, Santa Monica-Malibu Unified School District Board of Education and the placing before the voters of initiatives and referendum; and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the statewide General Election to be held on the same date; that within the City of Santa Monica and the Community College District, the precincts, polling places and election officers of the two elections be the same; that the Registrar of Voters canvass the returns of the General Municipal Election; and that the statewide General Election and General Municipal Election be held in all respects as if there were only one election,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA
DOES RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Elections Code Section 10403, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the statewide General Election on Tuesday, November 4, 2008, for the purpose of electing officers of the City of Santa Monica, the Santa Monica Rent Control Board, the Santa Monica Community College District Board, the Santa Monica-Malibu Unified School District Board of Education and the placing before the voters of qualified initiatives and referendum.

SECTION 2. The Registrar of Voters is hereby authorized to canvass the returns of the General Municipal Election which it is hereby requested to consolidate with the statewide General Election and said election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.


SECTION 3. The Board of Supervisors of the County of Los Angeles is hereby requested to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. The City of Santa Monica recognizes that additional costs shall be incurred by the County of Los Angeles by reason of this consolidation and agrees to reimburse the County of Los Angeles for any such costs.

SECTION 5. The City Clerk is directed to transmit and file a certified copy of this Resolution with the Board of Supervisors of the County of Los Angeles and with the Registrar of Voters.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:


MARSHA JONES MOUTRIE
City Attorney

Adopted and approved this 10th day of June, 2008.


Herb Katz, Mayor

I, Maria Stewart, City Clerk of the City of Santa Monica, do hereby certify that the foregoing Resolution No. 10300 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 10th day of June, 2008, by the following vote:

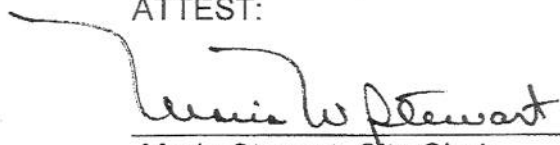
Ayes: Council members: Genser, Holbrook, McKeown, O'Connor, Shriver
Mayor Katz

Noes: Council members: None

Abstain: Council members: None

Absent: Council members: Mayor Pro Tem Bloom

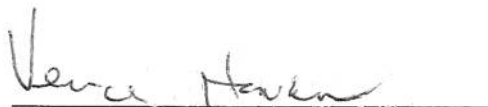
ATTEST:


Maria Stewart, City Clerk

State of California
County of Los Angeles
City of Santa Monica

I, Vernice Hankins, Staff Assistant to the City Clerk of the City of Santa Monica, do hereby certify that to the best of my knowledge and belief the foregoing is a full, true and correct copy of Resolution No. 10300 (CCS) which is on file in the City Clerk's Department, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Santa Monica, this 30th day of June, 2008.

A handwritten signature in cursive script, appearing to read "Vernice Hankins", is written over a horizontal line.

Vernice Hankins
Staff Assistant III, City Clerk's Office
City of Santa Monica

RESOLUTION NUMBER 10301 (CCS)
(City Council Series)

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA MONICA REQUESTING THE BOARD OF
SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER
SPECIFIED SERVICES TO THE CITY OF SANTA MONICA
RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL
ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008

WHEREAS, a General Municipal Election is to be held in the City of Santa Monica on Tuesday, November 4, 2008; and

WHEREAS, in the course of conduct of the General Municipal Election and in relation thereto, it will be necessary to mail sample ballots and polling place information to the registered voters of the City of Santa Monica; and

WHEREAS, it will facilitate the mailing of sample ballots if the Registrar of Voters of the County of Los Angeles will make available to the City of Santa Monica the computer record of the names and addresses of all eligible registered voters in order that labels may be printed for attaching to self-mailer sample ballot pamphlets; and

WHEREAS, the City of Santa Monica desires the Registrar of Voters to furnish such other election assistance as may be authorized by state law; and

WHEREAS, all necessary expense in performing these services shall be paid by the City of Santa Monica,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA
DOES RESOLVE AS FOLLOWS:

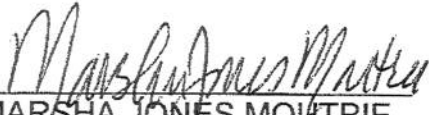
SECTION 1. Pursuant to Elections Code Section 10002, the City Council requests that the Board of Supervisors of the County of Los Angeles permit the Registrar of Voters to provide the following services to the City to the extent determined necessary by the City Clerk: (1) prepare and furnish to the City of Santa Monica for use in conducting its General Municipal Election the computer record of the names and addresses of eligible registered voters in the City of Santa Monica in order that the City of Santa Monica may print labels to be attached to self-mailer sample ballot pamphlets; (2) furnish to the City of Santa Monica printed indices of the voters to be used by the precinct board at the polling place; (3) make available to the City of Santa Monica additional election equipment and assistance according to state law; and (4) provide such other services as may be deemed necessary to reduce the expense and administrative burden of the election.

SECTION 2. The City of Santa Monica shall reimburse the County of Los Angeles for services performed when the work is completed and upon presentation to the City of Santa Monica of a properly approved bill.

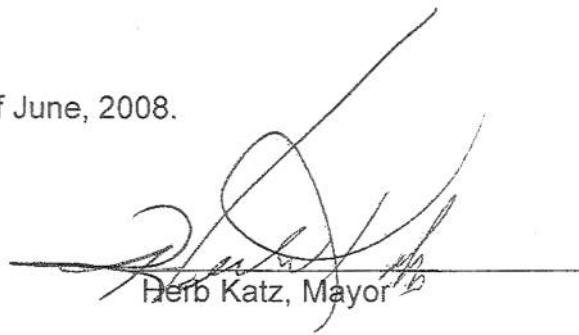
SECTION 3. The City Clerk is directed to forward without delay to the Board of Supervisors of the County of Los Angeles and to the Registrar of Voters a certified copy of this Resolution.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:


MARSHA JONES MOUTRIE
City Attorney

Adopted and approved this 10th day of June, 2008.



Herb Katz, Mayor

I, Maria Stewart, City Clerk of the City of Santa Monica, do hereby certify that the foregoing Resolution No. 10301 (CCS) was duly adopted at a meeting of the Santa Monica City Council held on the 10th day of June, 2008, by the following vote:

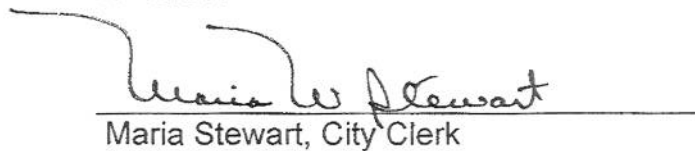
Ayes: Council members: Genser, Holbrook, McKeown, O'Connor, Shriver
Mayor Katz

Noes: Council members: None

Abstain: Council members: None

Absent: Council members: Mayor Pro Tem Bloom

ATTEST:



Maria Stewart, City Clerk

State of California
County of Los Angeles
City of Santa Monica

I, Vernice Hankins, Staff Assistant to the City Clerk of the City of Santa Monica, do hereby certify that to the best of my knowledge and belief the foregoing is a full, true and correct copy of Resolution No. 10301 (CCS) which is on file in the City Clerk's Department, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Santa Monica, this 30th day of June, 2008.



Vernice Hankins
Staff Assistant III, City Clerk's Office
City of Santa Monica

RESOLUTION NUMBER 10317 (CCS)

(City Council Series)

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA MONICA SUBMITTING TO THE VOTERS
AN INITIATIVE MEASURE PROPOSING TO AMEND THE LAND USE ELEMENT OF
THE GENERAL PLAN OF THE CITY OF SANTA MONICA AT THE GENERAL
MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008, AND
AUTHORIZING CITY COUNCIL MEMBERS TO FILE WRITTEN ARGUMENTS FOR
OR AGAINST THE PROPOSITION AND DIRECTING THE CITY ATTORNEY TO
PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE

WHEREAS, on June 10, 2008, the City Council adopted a Resolution calling for
and giving notice of a General Municipal Election on November 4, 2008; and

WHEREAS, California Elections Code Section 9215 authorizes the governing
body of a city to place proposed initiative ballot measures on the ballot; and

WHEREAS, the City Council of the City of Santa Monica wishes to place the
following initiative measure on the ballot at the General Municipal Election to be held on
November 4, 2008,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA
DOES RESOLVE AND PROCLAIM AS FOLLOWS:

SECTION 1. A General Municipal Election has been called for or November 4, 2008, for the purpose, among other things, of submitting measures and ballot propositions to the voters.

SECTION 2. At the General Municipal Election called for November 4, 2008, the following initiative proposition shall be submitted to the qualified electors of the City of Santa Monica:

<i>PROPOSITION " "</i> : Shall the City's General Plan be amended through 2023 to establish a City-wide annual limit on commercial development of 75,000 square feet, which: would apply to the types of projects that required City Council or Planning Commission approval on 1/16/08; would not apply to specified uses such as residential, parking, hospitals, schools, care and government facilities; and would allow for borrowing from future years if the five-year average stays within the limit?	Yes
	No

SECTION 3. The City Clerk shall transmit to the City Attorney, in accordance with Elections Code Section 9280, a copy of the initiative measure. The City Attorney shall prepare an impartial analysis of it, which analysis shall not exceed 500 words in length each. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments. In accordance with Santa Monica Municipal Code section 11.04.190 and California Elections Code Section 9295, not less than 10 calendar days before the City Clerk submits the official election materials for printing, the City Clerk shall make a copy of all applicable elections materials available for public examination in the City Clerk's office.

SECTION 4. The City Council authorizes its members, as follows, to file written arguments for or against the measure described above and which is contained in Exhibit 1 to this Resolution, which Exhibit is incorporated by reference herein:

FOR: Councilmembers Robert Holbrook and Pam O'Connor

AGAINST: Councilmember Kevin McKeown

All written arguments filed by any person in favor of or against any measure, including any rebuttal arguments, shall be accompanied by the names and signatures of the persons submitting the argument as required by applicable law, and any names, signatures and arguments may be filed until the time and date fixed by the City Clerk in accordance with applicable law, after which no change may be submitted to the City Clerk unless permitted by law.

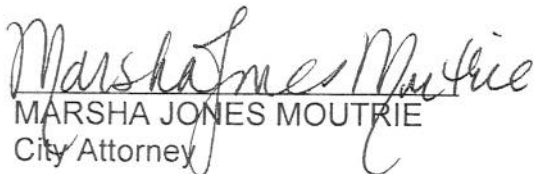
SECTION 5. The City Clerk shall cause the text of the initiative measure, which is contained in Exhibit 1, together with the City Attorney impartial analysis, and any arguments for or against the measure, as well as any rebuttal, to be mailed to all qualified voters with the sample ballot. In addition to other notices and publications required by law, the City Clerk, not less than forty (40) days and not more than sixty (60) days before the General Municipal Election, shall cause the text of the measure to be published once in the official newspaper and in each edition thereof during the day of

publication. The City Clerk is authorized to give such notices and to fix such times and dates as are required by law or which are appropriate to conduct properly the election.

SECTION 6. The provisions of Resolution Number 10299 (CCS) are referred to for more particulars concerning the General Municipal Election to be held on November 4, 2008 and in all respects the election shall be held and conducted as provided for by applicable law. The City Clerk is authorized and directed to procure and furnish any official ballots, notices, printed materials and all supplies or equipment that may be necessary in order to properly and lawfully conduct the election.

SECTION 7. The City Clerk shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:


MARSHA JONES MOUTRIE
City Attorney

The Residents' Initiative to Fight Traffic
January 16, 2008

To the Honorable Registrar of Voters of the City of Santa Monica: We, the undersigned, registered and qualified voters of the City of Santa Monica, hereby propose an initiative measure to amend the Santa Monica General Plan. We petition you to submit this measure to the City Council of the City of Santa Monica for adoption or submission of the measure to the voters of the City of Santa Monica at the earliest election for which it qualifies.

The measure provides as follows:

The Residents' Initiative to Fight Traffic

The people of the City of Santa Monica do hereby ordain as follows:

Section 1. Findings and Purpose.

A. Santa Monica is only 8 square miles, yet it is one of the most densely populated and traffic congested cities in Southern California. Excessive development and an explosion of new office and commercial buildings have brought in too much traffic and threaten to change the very nature of our beach community. For example:

- Between 1980 and 2007, our city witnessed an unprecedented expansion in commercial development, adding more than 9,000,000 square feet of new office, retail, and industrial space. This is the square footage equivalent of adding over 16 Santa Monica Place malls.
- This flood of development has negatively impacted our city, our neighborhoods, and Santa Monica residents by increasing traffic congestion, parking problems, pollution, and demands on our infrastructure.
- Commercial development typically generates at least three to four times the amount of traffic as residential.
- The vision of the 1984 General Plan to promote commercial growth has been met and exceeded by this unprecedented pace of development.
- Since 1995, growth in commercial space (office, retail, and industrial uses such as studio and post production facilities) has averaged 160,000 square feet per year, the square footage equivalent of adding one new Santa Monica Place mall to our city every three and a half years.
- Growth is expected to continue at this pace for the next 20 years, adding approximately 3,200,000 square feet of new commercial development, or the square footage equivalent of almost six new Santa Monica Place malls, to our already congested city.
- Continued unsustainable development at this level will have dire impacts on traffic and on Santa Monica residents' quality of life.

B. This measure will put residents back in control of our city by putting a reasonable, common sense limit on future non-residential development. Specifically:

- This measure will cut Santa Monica's projected commercial growth in half.
- This measure exempts residential, schools, and other uses vital to the well being of our community.
- By capping annual commercial development at a level that allows a reasonable rate of growth, this measure will ensure that our city has the time to develop the physical, economic, and social infrastructure to keep pace with development.
- This measure will give our city the opportunity to create a competitive selection process for potential commercial development, resulting in high-quality projects that best meet our community's goals and objectives.
- This measure will prevent the massive over-development of our neighborhoods and ensure that residents have a say in the future of our city.

Section 2. General Plan Amendments.

This initiative hereby amends Part 1.0 of the Land Use Element Objectives and Policies of the Santa Monica General Plan adopted October 23, 1984, as amended through January 16, 2008, to add the following new policies immediately following Policy 1.1.1 on page 84:

Policy 1.1.2. The total amount of commercial development approved citywide each calendar year shall be limited to 75,000 square feet of floor area as set forth below.

- A. For the purposes of this policy, "commercial development" means a building or portion of a building approved for any use other than residential, parking, schools, child or adult day care facilities, hospitals, rest homes, residential care facilities for the elderly, places of worship, government facilities, or neighborhood-serving goods, services, or retail uses that are located on the ground floor of an affordable housing development in which one hundred percent of the dwelling units are designated for affordable housing in a manner approved by the City.
- B. The annual limit on total commercial development approvals does not apply to approval of any project that, pursuant to State law does not require, or pursuant to the Santa Monica Municipal Code in effect January 16, 2008 would not have required, approval of either the Planning Commission or the City Council.
- C. In calculating the amount of commercial development subject to the annual limit:
 - 1. Floor area shall be calculated in accordance with the standards set forth in section 9.04.02.030.315 of the Santa Monica Municipal Code in effect on January 16, 2008 excluding from such calculations any

non-commercial development (e.g., parking and other uses excluded from the meaning of the term as defined in paragraph A, above) or commercial development otherwise not subject to the annual limit.

2. Projects subject to the annual limit that replace or remodel an existing building may receive credit for some or all of the floor area of the existing building based on the traffic generated by the new building in comparison to the original building. The floor area subject to the annual limit calculated pursuant to paragraph C.1, above, shall be reduced by an amount determined as follows:

- i. Using the most recently available trip generation methodology and data from the Institute of Traffic Engineers (ITE) or a comparable source used by jurisdictions of comparable size to Santa Monica, the City shall ascertain the number of vehicle trips per week (on a gross basis without adjustments to trip generation established by the ITE or other documentation) associated with (a) the building to be remodeled or replaced (based on the size, design, and primary use of the building for the last two years) and (b) the new building (based on the approved size, design, and all conditions of approval affecting use of the building). Each number shall be divided by the square footage of the building to which it applies to ascertain, for the purposes of this policy only, the projected trips per square foot for each building.
- ii. If the new building will generate the same or fewer trips per square foot than the original building, then the entire square footage of the original building shall be subtracted from the square footage of the new building for the purposes of calculating the floor area of the building that is subject to the annual limit. For example, if a 5,000 square foot building is replaced by a 7,500 square foot building and the new building would generate the same amount of traffic per square foot as the original building, then the floor area of the new building contributing to the annual limit would be reduced to 2,500 square feet.
- iii. If the new building will generate more trips per square foot than the original building, then a portion of the square footage of the original building shall be subtracted from the square footage of the new building for the purposes of calculating the floor area of the building that is subject to the annual limit. The portion to be subtracted shall be in proportion to the difference in the number of trips per square foot between the two buildings. For example, if a 5,000 square foot building

with one trip per square foot is replaced by a 7,500 square foot building with two trips per square foot, then half the square footage of the original building (2,500 square feet) would be subtracted from the square footage of the new building and the area of the new building contributing to the annual limit would be 5,000 square feet.

3. The annual limit for a given calendar year shall be adjusted upwards by the total square footage of projects approved after January 1, 2008, which have not been built and for which during the preceding calendar year the Planning Commission or City Council approval expired.

D. The city may borrow commercial development allocations from up to four years in the future so that total commercial development approvals in a single year may exceed 75,000 square feet of floor area. In such cases, however, the average annual square footage approved over the following four years must be reduced below 75,000 square feet so that the average for the five-year period including the first year and the four following years may not exceed 75,000 square feet per year.

E. Under no circumstances shall the average square footage of commercial development approved over any five-year period exceed 75,000 square feet per year. To ensure that the city benefits from this policy as quickly as possible and to offset the effects of commercial development approvals issued prior to the adoption of this policy, the initial five year period for calculating the average annual square footage shall begin January 1, 2008 such that the average square footage approved for the period January 1, 2008 through December 31, 2012 shall not exceed 75,000 square feet per year.

Policy 1.1.3. A cornerstone principle of this General Plan is ensuring that development is consistent with this General Plan and proceeds at a sustainable pace. In furtherance of this central goal, the People of Santa Monica, by initiative measure, have adopted Policy 1.1.2 and this Policy 1.1.3.

- A. The General Plan may be updated, amended, or reorganized, and individual goals and policies may be renumbered or reordered in the course of ongoing updates of the General Plan in accordance with the requirements of State law, but Policies 1.1.2 and 1.1.3 may not be amended or repealed except by a vote of the people before December 31, 2023. After that date these policies may be amended by the City Council in accordance with applicable laws.
- B. Nothing in this Policy or Policy 1.1.2 precludes the City Council from seeking voter approval for commercial development in excess of the limit established in Policy 1.1.2.

Section 3. Implementation.

A. Upon the effective date of this initiative, the provisions of Section 2 of the initiative are hereby inserted into the Land Use Element Objectives and Policies of the Santa Monica General Plan as an amendment thereto, except that if the four amendments of the mandatory elements of the General Plan permitted by State law for any given calendar year already have been utilized in the year in which the initiative becomes effective, this General Plan amendment shall be the first amendment inserted into the Santa Monica General Plan on January 1 of the next year. When this General Plan amendment is inserted into the Santa Monica General Plan, any provisions of the Santa Monica Municipal Code that are inconsistent with this General Plan amendment shall not be enforced in a manner inconsistent with this General Plan amendment.

B. The date that the notice of intention to circulate this initiative measure was submitted to the elections official of the City of Santa Monica is referenced herein as the "submittal date." The Santa Monica General Plan in effect on the submittal date and the General Plan as amended by this initiative comprise an integrated, internally consistent and compatible statement of policies for the City of Santa Monica. In order to ensure that nothing in this initiative measure would prevent the Santa Monica General Plan from being an integrated, internally consistent and compatible statement of the policies of the City, as required by State law, and to ensure that the actions of the voters in enacting this initiative are given effect, any amendment to the General Plan that is adopted between the submittal date and the date that the General Plan is amended by this initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by Section 2 of this initiative measure, be amended as soon as possible and in the manner and time required by State law to ensure consistency between the provisions adopted by this initiative and other elements of the Santa Monica General Plan.

C. Policy 1.1.2 adopted by this initiative provides that for the purposes of calculating floor area subject to the annual limit on commercial development, floor area shall be calculated in accordance with the standards set forth in section 9.04.02.030.315 of the Santa Monica Municipal Code in effect on January 16, 2008. A copy of that section of the Code is included in this measure as Attachment A for informational purposes. This measure does not limit the ability of the City Council to amend the referenced section of the Municipal Code; provided, however, that the initiative does require the city to use the provisions of the Code as presented in the attachment in making the calculations required by the initiative.

D. The City of Santa Monica is hereby authorized and directed to amend the Santa Monica General Plan, all specific plans, the Santa Monica Zoning Ordinance, the Santa Monica Zoning Map, and other ordinances and policies affected by this initiative as soon as possible to ensure consistency between the policies adopted in this initiative and other elements of the Santa Monica General Plan, all specific plans, the Santa Monica Zoning Ordinance, the Santa Monica Zoning Map, and other city ordinances and policies.

E. Except as provided in Section 4 of this initiative or as otherwise required by State or Federal law, upon the date of insertion of the provisions of Section 2 of this initiative into the Santa Monica General Plan, all General Plan amendments, rezonings, specific plans, tentative subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use not yet approved or issued shall not be approved or issued unless consistent with the policies and provisions of this initiative.

Section 4. Exemptions for Certain Projects.

A. This initiative shall not apply to prohibit any development project or ongoing activity that has obtained, as of the effective date of this initiative, a vested right pursuant to State or local law.

B. This initiative shall not be interpreted to apply to any land or prohibit any use that, under State or Federal law, is beyond the power of the local voters to affect by the initiative power reserved to the people via the California Constitution.

C. This initiative shall not be interpreted or applied to preclude the approval of a development project that would cause the city to exceed the annual limit on commercial development specified in Policy 1.1.2 of the General Plan if each of the following conditions is satisfied: (i) the City Council, after considering all facts and applicable legislative and judicial authority in support of conforming to the annual cap, finds by at least a 6/7 vote following a public hearing that the application of Policy 1.1.2 would constitute an unconstitutional taking of the landowner's property and that the taking cannot be avoided by borrowing from future years as authorized by Policy 1.1.2; and (ii) in approving the commercial development, the City Council allows additional commercial development only to the extent necessary to avoid said unconstitutional taking of the landowner's property.

Section 5. Severability and Interpretation.

This initiative shall be interpreted so as to be consistent with all Federal and State laws, rules, and regulations. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion of this initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this initiative. The voters hereby declare that this initiative, and each section, subsection, paragraph, subparagraph, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this initiative that can be given effect without the invalid application. This initiative shall be broadly construed in order to achieve the purposes stated in this initiative.

Section 6. Amendment or Repeal.

Except as otherwise provided herein, this initiative may be amended or repealed only by the voters of the City of Santa Monica.

The circulators of the petition [] do [X] do not request that the measure be submitted immediately to a vote of the people at a special election.

Attachment A

Attachment A, attached for informational purposes, contains the true and accurate text of section 9.04.02.030.315 of the Santa Monica Municipal Code in effect on January 16, 2008. Section 9.04.02.030.315 is referenced in Sections 2 and 3 of this initiative.

9.04.02.030.315 Floor area.

The total gross horizontal areas of all floors of a building, including usable basements and all areas measured from the interior face of exterior walls, or a wall separating two buildings excluding:

- (a) Stairways and stairwells;
- (b) Elevators, elevator equipment rooms and elevator shafts;
- (c) Ramps to a subterranean or semi-subterranean parking structure or ramps between floors of a parking structure provided the ramp does not accommodate parking;
- (d) Unenclosed decks, balconies and platforms not used for commercial or restaurant activity;
- (e) Courtyards, arcades, atria, paseos, walkways and corridors open to the outdoors whether or not covered by a roof provided they are not used for commercial or restaurant activity;
- (f) The volume above interior courtyards, atria, paseos, walkways and corridors whether covered or not;
- (g) Subterranean and semi-subterranean parking structures used exclusively for parking and loading and unloading;
- (h) At-grade parking not covered by a building, structure or roof;
- (i) Loading docks open or covered by a roof or canopy, but otherwise unenclosed and used exclusively for loading and unloading;
- (j) Mechanical equipment rooms, electrical rooms, telephone rooms, and similar space, if located below grade;
- (k) Enclosures constructed pursuant to Section 9.04.14.050(k) for outdoor hoists in existence on the adoption of Ordinance Number 1452 (CCS).

Floor area shall include those areas occupied by the following:

(a) Restrooms, lounges, lobbies, kitchens, storage areas, and interior hallways and corridors;

(b) The floor area of interior courtyards, atria, paseos, walkways and corridors covered by a roof or skylight;

(c) Covered at-grade parking;

(d) Above grade parking.

Floor area devoted to covered at-grade parking shall be counted at two-thirds of the actual area if all of the following conditions are met:

(a) The floor devoted to parking does not exceed ten feet in height;

(b) There is at least one level of subterranean or semi-subterranean parking provided on the parcel;

(c) The at-grade and above grade parking levels are screened from view;

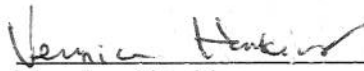
(d) There is no parking on the ground floor within forty feet of the front property line;

(e) The design of the parking levels is compatible with the design of the building as determined by the Architectural Review Board.

State of California
County of Los Angeles
City of Santa Monica

I, Vernice Hankins, Staff Assistant to the City Clerk of the City of Santa Monica, do hereby certify that to the best of my knowledge and belief the foregoing is a full, true and correct copy of Resolution No. 10317 (CCS) which is on file in the City Clerk's Department, and that I have carefully compared the same with the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Santa Monica, this 30th day of June, 2008.



Vernice Hankins
Staff Assistant III, City Clerk's Office
City of Santa Monica